

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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LIFEGUARD LICENSING CORP. &
POPULARITY PRODUCTS, LLC,

Plaintiffs,

-against-

JERRY KOZAK & ANN ARBOR T-SHIRT
CO., LLC,

Defendants.
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15 Civ. 8459 (LGS)

ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on March 12, 2019, Judge Lehrburger filed a Report and Recommendation (the “Report”) recommending (1) dismissing Plaintiffs’ Complaint with prejudice; (2) dismissing Defendants’ counterclaims as moot without prejudice; (3) denying Defendants’ request for summary judgment and (4) denying Defendants’ request for an award of attorneys’ fees;

WHEREAS, the Report stated that the parties “have fourteen (14) days to file written objections to this Report and Recommendation”;


WHEREAS, no Objections were timely filed;

WHEREAS, in reviewing a Report and Recommendation of a magistrate judge, a district judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). “In a case such as this one, where no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” *Poulos, v. City of New York*, No. 14 Civ. 3023, 2018 WL 3745661, at *1 (S.D.N.Y. Aug. 6, 2018) (internal quotation marks omitted);

WHEREAS, the Court finds no clear error on the face of the record. It is hereby

ORDERED that the Report is adopted. Plaintiffs' Motion to Dismiss the Complaint and Defendants' counterclaims is GRANTED. Defendants' motion for summary judgment is DENIED. Defendants' application for an award of attorneys' fees is DENIED. The Clerk of Court is directed to close the case.

Dated: March 27, 2019
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE